

FINDING OF NO SIGNIFICANT IMPACT/DECISION RECORD

for Laughlin Land Sale

Decision:

It is my decision to authorize the sale of 2,058.19 acres of land in the Laughlin Disposal Area. The proposed action is in conformance with the Las Vegas Resource Management Plan, approved October 5, 1998. I have determined that the proposed action with the mitigation measures described in the attached EA will not have any significant impacts on the human environment and that an EIS is not required.

Finding of No Significant Impact:

I have reviewed Environmental Assessment (EA) NV-055-04-475, dated March 28, 2005. After consideration of the environmental effects as described in the EA, and incorporated herein, I have determined that the proposed action of the sale of 2058.19 acres of public land identified in the EA will not significantly affect the quality of the human environment and that an Environmental Impact Statement (EIS) is not required to be prepared.

I have determined the proposed action is in conformance with the approved Las Vegas Resource Management Plan and is consistent with the plans and policies of neighboring local, county, state, tribal and federal agencies and governments. This finding and conclusion is based on my consideration of the Council on Environmental Quality's (CEQ) criteria for significance (40 CFR 1508.27), both with regard to the context and the intensity of impacts described in the EA.

Context: Southern Nevada is home to one of the fastest growing metropolitan areas in the U.S. Population growth in metropolitan Las Vegas and the surrounding environs is anticipated to continue into the future. Because of the continued growth of this region, Congress has passed numerous acts of legislation addressing land tenure in southern Nevada. The Las Vegas RMP has identified appropriate disposal areas for communities in southern Nevada to meet these increased demands. Orderly disposal of land to local communities in southern Nevada is important to local governments to continue sustained growth.

Intensity:

1) *Impacts that may be both beneficial and adverse.*

The environmental assessment has considered both beneficial and adverse impacts of the land sale. On the whole the sale will result in an improved economic environment for the Town of Laughlin. Additional tax revenue would be realized as the homes are built and people move into the state of Nevada for personal tax benefits as Nevada has no income tax. Development of this land will displace a race event that infused about 9 million dollars into the local economy. This represents less than 1% of the total revenue from the

entire tourism industry and is not considered a significant impact in the short or long term.

2) The degree to which the proposed action affects public health or safety.

The proposed sale does not directly affect public health and safety. Development of planned communities will result in better living conditions, new homes, adequate infrastructure and services, for local residents as well as residents living in Bullhead City, Arizona across the Colorado River. At the present time only a small percentage of the workers in the tourism industry actually live in the Town of Laughlin. Residential development in the Town of Laughlin could provide alternative places to live for workers commuting from Kingman, Arizona and other outlying areas and reduce the driving time workers spend enhancing public safety benefits in residing closer to places of work.

The sale area is located in a basic non-attainment area for ozone. Based on the Argonne Study completed for the Las Vegas Disposal Boundary EIS, a high percentage of the chemicals that combine to form ozone is transported in from other areas. This same condition is expected in Laughlin based on wind flow patterns. There are no known significant or unusual risks to workers or public health and safety based on the development projected. No exceedances of air quality standards are projected based on the analysis presented in the EA.

3) Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

Laughlin is on the bank of the Colorado River, the most important water way in the western United States. This area is a world class recreation area, which receives hundreds of thousands of visitors each year. Development in Laughlin will not cause any significant impacts to the River as only treated water that meets the EPA standards will be released into the water way. Laughlin is looking at ways to use the treated water, such as golf courses so the lowest possible amount would be released into the river.

4) The degree to which the effects on the quality of the human environment are likely to be highly controversial.

The local community is highly supportive of expansion, as currently many have to live outside the area in Arizona where State income tax takes a bit out of their take home pay. There were no effects to the quality of the human environment that are likely to be highly controversial. Water is from the Colorado River only with no ground water allocations. The EA documents that there would be an increase in all criteria pollutants, but those increases are not likely to cause an exceedance of any air quality standards. The air quality will be monitored by the regulatory branch of Clark County to ensure compliance with all air quality standards.

5) The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

There are no highly uncertain or unique or unknown risks from the proposed action. BLM will work closely with the Clark County Department of Air Quality and

Environmental Management to ensure that all BLM actions continue to comply with all current and future applicable air quality laws, regulations and standards. Clark County is the regulator for air impacts in the Laughlin area. As the enforcement branch of the State of Nevada, air quality permits would be required for any future development. The County is currently studying the area to ensure any permits they authorize are in compliance with the Clean Air Act.

6) The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

The proposed action does not establish a precedent for future actions, as BLM has disposed of thousands of acres in the Las Vegas Field Office Area, both in the Las Vegas Valley and outside the Las Vegas Valley in accordance with the Las Vegas Resource Management Plan and applicable legislation. Each of these actions eventually leads to public lands being transferred to a private entity. Based on the State of Nevada being mostly federally managed lands, the move to privatize lands in this state is supported by the highest levels of government, evidenced by many recent Bills that authorize transfers of title from the Federal Government management.

7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

The proposed action is a transfer of title of public lands to a private owner. This action cannot cause a significant impact as no disturbance occurs, just transfer of title. This is echoed in the Clean Air Act which specifically exempts transfers of title from conformity. However, Federal Agencies are required to assess potential impacts based on what the community plans for these lands once privatized. Development of the lands will not jeopardize the existence of the desert tortoise. There are no other sensitive or candidate species in the area. The water supply is exclusively from diversion from the Colorado River, with no impact to ground water supplies. The community has planned for 12 years for this expansion, by adding infrastructure to handle the expected growth. Additional residents will not tax the current transportation system, fire, police or other services. There will be improved economic condition as homes are built and people move in, such as increased tax revenue, but this in itself is not a significant impact.

8) The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the NRHP or may cause loss or destruction of significant scientific, cultural, or historical resources.

There were no sites eligible for nomination to the National Register of Historic Places. BLM consulted with the Nevada State Historic Preservation Office and they concurred that no mitigation was required for the sites found during the Class 3 inventory. Therefore the proposed action will not cause the loss or destruction of any significant scientific, cultural or historic resources.

9) The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the ESA of 1973.

The desert tortoise is the only species in the sale area that is protected by the Endangered Species Act. BLM consulted with the US Fish and Wildlife Service and based on

Biological Opinion 1-5-97-F-251, which determined that disposal of land may adversely affect the desert tortoise but it is not likely to jeopardize. The BO allows for take of habitat and tortoise.

10) *Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.* The proposed action will not violate or threaten to violate any Federal, State, or local law or requirement imposed for protection of the environment. The proposed action is consistent with FLPMA for sale of lands. The proposed action is specifically exempted from the conformity determination section of the Clean Air Act. There are no State listed plants within the sale area. Local planning has been preparing for 12 years to ensure development is in concert with rules, regulations and policy.

Rationale for Decision: The decision to allow the proposed action does not result in any undue or unnecessary environmental degradation and is in conformance with the Las Vegas Resource Management Plan, approved in October 1998.

Field Manager, Juan Palma

Date